

REMARKS

Claims 11 and 12 have been canceled, without prejudice, and claims 13-19 added. No new matter has been added.

The specification has been amended, as required by the Examiner.

The claims have been amended to define methods and compositions relating to lymphoid cells.

Cancellation of Claim 12, which was apparently the basis for the alleged lack of unity objection, based on Morris (U.S. Patent No. 5,266,479), should remove the unity of invention objection and search and examination of all of the claims are requested.

For completeness, the applicants believe that cited patent is not understood to teach a culture of lymphoid cells and a medium of the present claim 6, which contains acetic acid or an acetate salt or a biologically activated acetyl ester. The passage of Morris cited by the Examiner, i.e., column 6, lines 16 to 64 of Morris, is understood to only require the inclusion of retinyl acetate, linoleic acid and vitamin D. The claims are believed to define patentable methods and products over the cited art. The claims are submitted therefore to define a single inventive concept and withdrawal of the lack of unity of invention determination is requested, along with examination of all of the claimed subject matter.

The applicants elect, for only the purpose of being responsive, and with traverse, the subject matter of the Examiner's Group I.

Beyond the above basis for the traversal of the lack of unity assertion, the applicants further believe that the product of the subject matter of the Examiner's Group II is a cell culture for use in the method of the Examiner's Group I. Withdrawal of the

lack of unity assertion is requested along with examination of all of the claimed subject matter.

The Examiner is requested to forward a PTO 892 listing the cited Morris patent.

The claims have been amended, without prejudice, to delete broad and narrow recitations within a single claim, as suggested by the Examiner.

The following species are elected, with reference to the Examiner's similarly labeled paragraphs, with traverse:

¶4.A.b.i. - an acetate salt which is alkali metal acetate,

¶4.A.b.bai. - prior to starting the cell culture,

¶4.C.a. - serum free medium.

Withdrawal of the election of species requirements is requested as the Examiner has failed to demonstrate that the identified species are patentably distinct and/or that search and examination of the full breadth of the claims will present an undue burden for the Examiner. Withdrawal of the species election requirement and examination of all of the claimed subject matter are requested.

Moreover, the applicants believe that in many respects the Examiner's election of species requirements fail to consider the technical aspects of the claimed invention. Specifically, the Examiner's requirement to elect between addition prior to starting the culture and directly to the cell culture artificially parses the disclosed and claimed invention. Similarly, the required election between acetic acid and acetate salt is believed to be inappropriate as examination of both alternatives is not believed to present an undue burden. The election required in the Examiner's ¶4.C.a.-f. is not understood as the Examiner should appreciate that "protein-free" will require "serum-

free" such that election of "protein-free" will be the same as "serum-free and protein-free". An election of ¶4.D. is not believed to be required as claim 10 is not subject matter defined by the elected Group. Moreover, an election of ¶4.B. is not believed to be required in view of the above amendments.

The applicants submit, for completeness, that all of the claims of the elected Group are believed to read on the elected species.

Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim, at an appropriate time, are requested.

An early and favorable Action on the merits of all of the claimed subject matter is requested.

The above is believed to be completely responsive to the Office Action of February 5, 2007. The Examiner is requested to contact the undersigned however in the event anything further is required.

An early and favorable Action on the merits is requested.

Respectfully submitted,

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By: _____



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